

Iowa Balance of State Continuum of Care

Governance Charter

Comments Received for May 2015 Review

This document includes comments submitted by email by the requested date of March 13, 2015, plus additional comments submitted pursuant to the Executive Committee's discussion on April 15, 2015.

Tim Wilson, Willis Dady Emergency Shelter

[Original comments from Tim had additions highlighted in red font; these were changed to underline font to allow for black/white printing.]

1) Responsibilities

- 3. i. 3) Prevention resources and strategies.
- ii. 4) Other requirements established by HUD ~~by~~ via Notice.

Response:

2) Iowa Council Membership Process

Twelve (12) members..... ~~One of the twenty six shall represent the Iowa State Association of Counties, and one of the twenty six shall represent the Iowa League of Cities. Two of the~~ twenty-six shall represent local government; one from the municipal level and one from the county level. Once approved by the Governor, and confirmed by the Iowa Council, the....

[From IFA: Iowa Code specifies the membership of the council. The Governance Charter cannot supersede Iowa Code; the code would have to be changed by the Iowa legislature.]

Response:

3) Decision Making Quorum:

A majority of the Iowa Council members shall constitute a quorum at all meetings thereof. Any action taken by the Iowa Council must be adopted by an affirmative vote of a majority of ~~its membership~~ those present at the meeting at which said vote shall occur.

[From IFA: Iowa Code specifies what constitutes a majority for the purposes of taking action. The Governance Charter cannot supersede Iowa Code; the code would have to be changed by

Iowa Balance of State Continuum of Care

Governance Charter

Comments Received for May 2015 Review

the Iowa legislature. The purpose of this item is to prevent council action to be taken by less than a third of members voting in the affirmative (for example, 38 total members; 20 members present for a quorum; 11 members voting in the affirmative and constituting a simple majority.)]

Response:

4) Iowa Council Committee Structure

(Insert after **Continuum of Care Committee* text)

Ad Hoc Committees

The Council shall establish additional committees from time to time as needed in order to fulfill its goals and obligations and to disband such committees when no longer needed.

All Committees

Each committee shall establish its own meeting times and operating rules. Such rules shall be in compliance with the open meetings and records requirements of Iowa Code Chapters 21 and 22 and shall not conflict with any provisions of this Charter or other applicable governing statutes or policies.

Response:

5) Roles/Responsibilities: Iowa Council on Homelessness

Agenda/Advocacy

Work to identify causes.....

Make annual recommendations to the governor regarding matters which impact homelessness on or before ~~September 15~~ November 30 of each year.

Plan and implement an annual event at.....

Prepare and file with Governor and the General Assembly an annual report on homelessness in Iowa.

Prepare and submit a budget to the legislature for such funding as determined to be necessary to execute the Roles and Responsibilities set forth above.

[From IFA: Iowa Code specifies the September 15 date referenced in the comment. Governance Charter cannot supersede Iowa Code; code would have to be changed. Additionally, the council does not submit a budget directly to the legislature, nor does it receive any funding directly.]

Response:

Iowa Balance of State Continuum of Care

Governance Charter

Comments Received for May 2015 Review

- 6) Throughout the document, capitalization should not be used for the word “Governor” when it appears as “the Governor.” In instances when “Governor” begins a sentence or appears as “the Iowa Governor’s Office,” the word should remain capitalized.

Response:

Mariliegh Fisher, Community Housing Initiatives:

- 7) Parts of the Governance Charter do not match what is in the Administrative Rules 265-31.1 (16) Organization.

Response:

- 8) Under Section 31.1(5). According to the Admin. Rules the Council is annually at the March meeting supposed to elect six members to the Nominating Committee. This does not match what the Governance Charter shows.

[From IFA: Here is the referenced text from the Administrative Rules: “Following the initial appointment of the general public members to the council, the council shall annually at its March meeting elect six members, three of whom shall be agency director members and three of whom shall be general public members.”]

Response:

- 9) The Admin. Rules state that the Executive Committee is also supposed to include the immediate past chairperson if they are a current Council member. The Governance Charter does not mention this.

Iowa Balance of State Continuum of Care

Governance Charter

Comments Received for May 2015 Review

[From IFA: Iowa Code and Iowa Administrative Rules supersede the Governance Charter. There are a number of items in the code and rules that are not repeated in the charter, but are still assumed to be followed.]

Response:

- 10) Also, you have probably already noticed this that the Iowa Institute for Community Alliance should be updated with their new name.

Response:

Iowa Finance Authority:

11) Page 3: Update code reference.

Replace "Iowa Code section 16.100A" with "Iowa Code Chapter 16.2D" to reflect code numbering update.

Response:

12) Page 5: Update the description of Standing Committees.

The standing committees of the Council are the following: Executive Committee, Nominating Committee, ~~Research and Analysis Committee, Policy and Planning Committee, Public Awareness Committee,~~ and Continuum of Care (COC) Committee.

~~The chair of each Standing Committee must be a voting member of the Council.~~

~~Each Standing Committee, except the Executive and Nominating Committees shall have responsibility for appointing additional committee members who may or may not be voting members of the Council. Each of the standing committees, with the exception of the Executive Committee, shall elect their own chair."~~

Additional informal working groups include the Research and Analysis Committee, Policy and Planning Committee, Public Awareness Committee, and Coordinated Entry Committee. These informal working groups may include voting members of the council and other stakeholders. Informal working groups make recommendations to the Executive Committee or the Council.

Iowa Balance of State Continuum of Care

Governance Charter

Comments Received for May 2015 Review

Response:

13) Page 5: Modify description of Nominating Committee.

“...The nominating committee shall nominate persons for chair, vice-chair, ~~and secretary~~ of the Iowa Council for consideration by the entire Council.”

Because IFA takes minutes and maintains all records for the council, the role of the secretary is unclear. If this is retained, recommend clarifying the role of the secretary.

Response:

14) Page 9: Update reference to the HMIS Data Standards. The current reference is for the 2010 data standards; HUD has since released 2014 standards.

Response:

From Executive Committee, based on discussion April 15, 2015, and submitted by Donna Phillips:

15) Institute for Community Alliances should not be mentioned by name in case it every changes. They should be referred to as the HMIS Provider throughout the document.

Response:

16) Secretary duties need to be added to this charger. Tim will work on drafting out some duties & sending it out to the Exec. Committee prior to the meeting.

[Submitted on 5/12/15 by Tim Wilson in response to Executive Committee discussion on April 15, 2015.]

Attached [copied below] is a document I've prepared as draft description of duties of the Secretary position. The need to define/justify the role came as a result of the recent Review and Comment process on the Governance Charter and I volunteered to write something up that

Iowa Balance of State Continuum of Care

Governance Charter

Comments Received for May 2015 Review

might be helpful. The draft isn't necessarily proposed as language for the Charter itself but rather to be helpful in understanding what the position could include. It also raises the question of whether or not we need descriptions for the chair and vice-chair positions, which are spelled out a bit more in the Charter but perhaps not as fully defined as might be helpful. For instance, In reviewing the attached, Donna brought up the fact that it would probably be good for the Charter to say that the chair or vice-chair be responsible for ensuring that agendas are created for the Exec and ICH meetings.

ICH SECRETARY: JOB DESCRIPTION

The secretary has the following duties and functions:

- to ensure that accurate records are kept and that application of policy and rules, and to keep records on such things as time progresses
- to participate in Council and Executive Committee meetings as a voting member
- to provide items for the agenda as appropriate
- to conduct roll call votes when such are in order
- in the absence of the chairperson and vice-chairperson, to call the meeting to order, presiding until a temporary chairperson is elected
- ensure the provision of notice of meetings of the board and/or of a committee when such notice is required
- to serve as the registered agent with respect to applicable laws; the person upon whom legal notice to the Council is served, and who is responsible for ensuring that documents necessary to maintain the Council are filed.

In addition, the secretary *may* be:

- designated by the Board of Directors and/or bylaws as one of the signing officers for certain documents. In this capacity, the secretary may be authorized or required to sign or countersign checks, correspondence, applications, reports, contracts or other documents on behalf of organization.

Note: This document uses the word "ensure" to convey the intent that accountability for the specified responsibilities lies with the secretary but it is not necessarily the secretary who carries out the activity. Indeed, it is expected that many of these responsibilities will continue to be delegated to staff of the Iowa Finance Authority, specific officers or committee chairs, or others including experts retained for a specific purpose. The word "ensure" is not intended to imply any additional source of legal duties beyond those that are required by law.

Iowa Balance of State Continuum of Care

Governance Charter

Comments Received for May 2015 Review

Response:
